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HOUSE BILL 1156

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State of Washington

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2001 Regular Session

By Representatives D. Schmidt, O'Brien, Edwards, Dunshee, Lovick,  
Marine, Sehlin, Pearson, Cooper and Barlean

Read first time 01/18/2001. Referred to Committee on Transportation.

1 AN ACT Relating to public transportation systems; and amending  
2 RCW 36.57A.110 and 36.57A.130.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.57A.110 and 1975 1st ex.s. c 270 s 21 are each  
5 amended to read as follows:

6 (1) The public transportation benefit area shall have and  
7 exercise all rights with respect to the construction, acquisition,  
8 maintenance, operation, extension, alteration, repair, control and  
9 management of passenger transportation which any component city  
10 shall have been previously empowered to exercise and such powers  
11 shall not thereafter be exercised by such component cities without  
12 the consent of the public transportation benefit area(~~(:—PROVIDED,~~  
13 ~~That)~~), except as provided in subsection (2) of this section and  
14 RCW 36.57A.130. Any city owning and operating a public  
15 transportation system on July 1, 1975, may continue to operate  
16 such system within such city until such system shall have been  
17 acquired by the public transportation benefit area and a public

1 transportation benefit area may not acquire such system without  
2 the consent of the city council of such city.

3 (2) In any county where a public transportation benefit area  
4 and a city both operate a public transportation system, beginning  
5 January 1, 2002, the city shall pay the public transportation  
6 benefit area for the service rendered to its citizens in an amount  
7 as provided for in RCW 36.57A.130, or, in the alternative, shall  
8 elect to request the county to submit a ballot proposition to the  
9 voters of the public transportation benefit area and the city on  
10 the question of whether the public transportation benefit area  
11 shall acquire the public transportation system owned by the  
12 city. The ballot proposition shall state that approval also  
13 constitutes an agreement that the city is subject to all taxes and  
14 other liabilities and obligations of the public transportation  
15 benefit area. This vote shall take place before September 1,  
16 2002. If by February 1, 2002, the city has elected not to pay the  
17 public transportation benefit area for the services rendered to  
18 its citizens and has failed to request the county to submit a  
19 ballot proposition under this subsection, the county shall place  
20 the ballot proposition on the ballot no later than September 1,  
21 2002. A simple majority authorizes acquisition. Upon a favorable  
22 vote, the city is included within the boundaries of the  
23 transportation benefit area and is subject to all taxes and other  
24 liabilities and obligations of the public transportation benefit  
25 area. Public transportation facilities and properties that are  
26 owned by the city become the property of the public transportation  
27 benefit area. If the vote to acquire the public transportation  
28 system owned by the city fails, RCW 36.57A.130 governs the  
29 obligation of the city to pay the public transportation benefit  
30 area for the services rendered its citizens. This obligation  
31 commences January 1, 2003, and continues until the public  
32 transportation benefit area acquires the city's public  
33 transportation system following an election under this subsection.

34 **Sec. 2.** RCW 36.57A.130 and 1983 c 151 s 1 are each amended to read  
35 as follows:

36 The treasurer of the county in which a public transportation  
37 benefit area authority is located shall be ex officio treasurer of

1 the authority. In the case of a multicounty public transportation  
2 benefit area the county treasurer of the largest component county,  
3 by population, shall be the treasurer of the authority. However,  
4 the authority, by resolution, and upon the approval of the county  
5 treasurer, may designate some other person having experience in  
6 financial or fiscal matters as treasurer of the authority. Such a  
7 treasurer shall possess all of the powers, responsibilities, and  
8 duties the county treasurer possesses for a public transportation  
9 benefit area authority related to investing surplus authority  
10 funds. The authority may (and if the treasurer is not a county  
11 treasurer, it shall) require a bond with a surety company  
12 authorized to do business in the state of Washington in an amount  
13 and under the terms and conditions the authority, by resolution,  
14 from time to time finds will protect the authority against loss.  
15 The premium on any such bond shall be paid by the authority.

16 All authority funds shall be paid to the treasurer and shall be  
17 disbursed by the treasurer only on warrants issued by the county  
18 auditor, upon orders or vouchers approved by the authority.  
19 However, the authority may, by resolution, designate some person  
20 having experience in financial or fiscal matters, other than the  
21 county auditor, as the auditor of the authority. Such an auditor  
22 shall possess all of the powers, responsibilities, and duties that  
23 the county auditor possesses for a public transportation benefit  
24 area authority related to creating and maintaining funds, issuing  
25 warrants, and maintaining a record of receipts and disbursements.

26 The treasurer shall establish a "transportation fund," into  
27 which shall be paid all authority funds, and the treasurer shall  
28 maintain such special accounts as may be created by the authority  
29 into which shall be placed all money as the authority may, by  
30 resolution, direct.

31 If the treasurer of the authority is a treasurer of the county,  
32 all authority funds shall be deposited with the county depository  
33 under the same restrictions, contracts, and security as provided  
34 for county depositories. If the treasurer of the authority is some  
35 other person, all funds shall be deposited in such bank or banks  
36 authorized to do business in this state that have qualified for  
37 insured deposits under any federal deposit insurance act as the  
38 authority, by resolution, shall designate.

1 An authority may provide and require a reasonable bond of any  
2 other person handling moneys or securities of the authority, but  
3 the authority shall pay the premium on the bond.

4 The county or counties and each city or town which is included  
5 in the authority shall contribute such sums towards the expense  
6 for maintaining and operating the public transportation system as  
7 shall be agreed upon between them. Commencing with the dates set  
8 forth in RCW 36.57A.110(2), any city operating a public  
9 transportation system within a county where a public  
10 transportation benefit area operates a public transportation  
11 system shall annually pay the public transportation benefit area:

12 (1) The average subsidy per passenger of the public  
13 transportation area as determined by the most recent national  
14 transportation data base figures, for which purpose subsidy means  
15 the total operating expenses for all modes minus fare revenue for  
16 all modes divided by total unlinked trips for all modes,  
17 multiplied by the number of unlinked passenger trips made by that  
18 city's residents on the public transportation benefit area system  
19 as determined by the most recent on-board rider surveys performed  
20 biennially by an independent consultant, the cost of that survey  
21 to be borne equally by the public transportation benefit area and  
22 the city; and

23 (2) The depreciation expenses of the public transit benefit  
24 area, divided by the combined population of the public  
25 transportation benefit area and the city, multiplied by the  
26 population of the city.

27 The county legislative authority shall arbitrate disputes under  
28 subsections (1) and (2) of this section.

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